

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

SANDRA E. FLUCK, an individual, : C.A. No.: 06-188-GMS

Plaintiff, :

v. :

BELLA VISTA DEVELOPMENT, LLC, a :
Virginia corporation, BELLA VISTA :
TOWNHOME CONDOMINIUM :
ASSOCIATION, INC., a Delaware :
corporation, RESORT REALTY GROUP, :
INC., a Delaware corporation, WILLIAM J. :
MITCHELL, individually, and WAYNE :
MITCHELL, individually,

Defendants.

JURY DEMAND

**PLAINTIFF'S RESPONSE TO DEFENDANT RESORT REALTY GROUP,
INC.'S MOTION TO DISMISS**

Plaintiff Sandra Fluck (Plaintiff), by and through her undersigned counsel, hereby moves
this Court for an Order denying Defendant Resort Realty Group Inc.'s (Defendant) Motion to
Dismiss.

Plaintiff respectfully refers the Court to the factual assertions and legal arguments made
in Plaintiff's Answering Brief, filed contemporaneously herewith and included herein by
reference.

WHEREFORE, Plaintiff respectfully requests this Court to deny Defendant's Motion to
Dismiss the Complaint.

DOROSHOW, PASQUALE, KRAWITZ & BHAYA

/s/ ANDREA G. GREEN, ESQUIRE

Attorney I.D. No.: 2487

/s/ JENNIFER S. DONAHUE, ESQUIRE

Attorney I.D. No.: 4700

213 East Dupont Highway

Millsboro, DE 19966

(302) 934-9400

Attorneys for Plaintiffs

Dated: March 2, 2007

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MITCHELL, individually,

Defendants.

ORDER

AND NOW, this _____ day of _____, 2007, Defendant's Motion to Dismiss and
Plaintiff's Response having been presented to and considered by the Court,

IT IS HEREBY ORDERED that Defendant Resort Realty Group, Inc.'s motion is DENIED.

The Honorable Gregory M. Sleet
United States District Court Judge

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CERTIFICATE OF SERVICE

I, Jennifer S. Donahue, Esquire, do hereby certify that on March 2, 2007, I electronically filed the Plaintiff's Response to Defendant's Motion to Dismiss with the Clerk of Court using CM/ECF which will send notification of such filing to the following person(s):

Robert K. Pearce, Esq.
Ferry, Joseph & Pearce, P.A.
824 North Market Street, Suite 904
P.O. Box 1351
Wilmington, DE 19899

Stephen Casarino, Esq.
Casarino, Christman & Shalk, P.A.
800 North King Street, Suite 200
P.O. Box 1276
Wilmington, DE 19899

Roger A. Akin, Esq.
1500 Shallcross Avenue, Suite 1-A
Wilmington, DE 19806

Carol Antoff, Esq.
1001 Jefferson Plaza, Suite 202
Wilmington, DE 19801

Charles P. Coates, III, Esquire
Christiana Executive Campus
Suite 407
131 Continental Drive
Newark, DE 19713-4301

DOROSHOW, PASQUALE, KRAWITZ & BHAYA

/s/ JENNIFER S. DONAHUE, ESQUIRE

Attorney I.D. No.: 4700
213 East Dupont Highway
Millsboro, DE 19966
(302) 934-9400
Attorneys for Plaintiffs